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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,173	07/02/2001	Satoshi Hoshino	OSP-10752	9512

21254 7590 01/31/2007  
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC  
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VIENNA, VA 22182-3817

EXAMINER
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PATEL, SHEFALI D

ART UNIT	PAPER NUMBER
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2624

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/31/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/895,173

Applicant(s)

HOSHINO, SATOSHI

Examiner

Shefali D. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/10/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 10, 2006 has been entered.

### *Response to Amendment*

2. The amendment was received on August 10, 2006.

### *Response to Arguments*

3. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Fekas et al.

(hereinafter, "Fekas") (US 2002/0005899 A1).

With regard to **claim 1** Fekas discloses an electronic journal preparation system comprising (Figure 1): a face image pick-up portion for picking up a face image of a customer by a fixed camera (cameras 4, 5, 6 and 20 in Figure 1 and also see page 2 paragraph 19); a card embossed image pick-up portion for picking up a card embossed image from a bank card when said customer inputs said bank card

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(card 10, page 2 paragraphs 19, 20 and 21); a customer transaction data image processing portion for forming an image regarding customer transaction data (identification transaction as disclosed on page 2 paragraphs 19 and 23); a journal data synthesizing portion for synthesizing as a single image a journal data by assembling said face image picked up by said face image pick-up portion, said card embossed image picked up by said card embossed image pick-up portion, and said customer transaction data image picked up by said customer transaction data image processing portion (pages 2 and 3 paragraph 23); and a journal data storing portion for storing said journal data synthesized by said journal data synthesizing portion into an electronic recording medium provided in the electronic journal preparation system (recording it on VCR – page 3 paragraphs 24, and 26).

**Claim 4** recites identical features as claim 1 except claim 4 is a method claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 4.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fekas et al. (hereinafter, "Fekas") (US 2002/0005899 A1) in view of Hanna et al. (US 6,761,308) (hereinafter, "Hanna").

With regard to **claim 3** Fekas discloses all of the claimed subject matter as already discussed above in claim 1, and the arguments are not repeated herein, but are incorporated by reference. Fekas does not expressly disclose inserting a watermark into said customer transaction data. Hanna discloses inserting watermark into customer transaction data at col. 33 lines 44-55. Fekas and Hanna are combinable because they are from the same field of endeavor. At the time of the invention, it would have

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been obvious to a person of ordinary skill in the art to combine the teaching of Hanna with Fekas. The motivation for doing so is to provide greater assurance of the integrity of the image as suggested by Hanna at col. 33 lines 50-52. Therefore, it would have been obvious to combine Hanna with Fekas to obtain the invention as specified in claim 3.

**Claim 6** recites identical features as claim 3 except claim 6 is a method claim. Thus, arguments similar to that presented above for claim 3 is equally applicable to claim 6.

8. Claims 2, 5 and 7-10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fekas et al. (hereinafter, "Fekas") (US 2002/0005899 A1) in view of Sato (JP 06-068339).

With regard to **claim 2** Fekas discloses all of the claimed subject matter as already discussed above in claim 1, and the arguments are not repeated herein, but are incorporated by reference. Fekas does not expressly disclose journal synthesizing portion adding character data to a header portion of said journal data. Sato discloses journal synthesizing portion adding character data to a header portion of said journal data as seen in Figure 14 and also on page 5 bottom of paragraph 39 where the contact of dealings are located at the corner monitor when information about the user is displayed. Fekas and Sato are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sato with Fekas. The motivation for doing so is to know the dealings conducted by the automation corner as suggested by Sato. Therefore, it would have been obvious to combine Sato with Fekas to obtain the invention as specified in claim 2.

**Claim 5** recites identical features as claim 2 except claim 5 is a method claim. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 5.

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With regard to **claim 10** Sato discloses formatting customer transaction data into a table for imaging the table after executing a service as seen in Figures 9A-9D and 15. See, paragraphs 39 and 22-24. As seen in the figures, the customer information is formatted in a table.

With regard to **claim 11** Sato discloses adding the customer transaction data image as a character data to a header for an index (see Figures 9B and 9C) for data at the header in an image.

With regard to **claim 7** Sato discloses all aspects of the claimed invention except for using Consumer Transaction Facility (CTF) instead of an Automated Teller Machine (ATM). It would have been obvious to substitute an ATM for the CTF in Sato, since the Examiner takes notice that these two types of Automated Machines are art recognized equivalents in carrying out automatic financial transactions.

With regard to **claims 8-9**, claim 7 substantially encompasses the limitation of this claim, and are rejected the same as claim 7. Thus, arguments similar to that presented above for claim 7 is equally applicable to claims 8 and 9.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D. Patel whose telephone number is 571-272-7396. The examiner can normally be reached on M-F 8:00am - 5:00pm (First Friday Off).

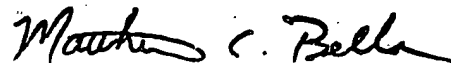
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shefali D Patel  
Examiner  
Art Unit 2624

sdp



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